

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**LATOYA RIPPY,**

*Plaintiff*

v.

**PUBLIC HEALTH MANAGEMENT  
CORPORATION, ET AL.,**

*Defendants*

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Case No. 19-cv-01839-JMY

**ORDER**

**AND NOW**, this 19th day of February, 2020, upon consideration of the pending motions (see ECF Nos. 42, 47, 48), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that:

(1) Public Health Management Corporation's Partial Motion to Dismiss (ECF No. 42) is

**GRANTED** in part and **DENIED** in part, as follows:

a. The Motion is **GRANTED** as to the following claims:

i. Counts V-XII, to the extent they are asserted against Leslie Gaymon, are

**DISMISSED WITH PREJUDICE;**

ii. Counts II, V, VI, VIII, and IX, to the extent they are predicated upon race

discrimination, are **DISMISSED WITHOUT PREJUDICE;**

iii. Count VI is **DISMISSED WITHOUT PREJUDICE;**

iv. Counts XI and XII are **DISMISSED WITHOUT PREJUDICE;**

b. In all other respects, the Motion is **DENIED;**

(2) Tony Gerard's Motion to Dismiss (ECF No. 47) is **GRANTED**, and Tony Gerard is

**DISMISSED WITH PREJUDICE** from this action;

(3) City of Philadelphia's Partial Motion to Dismiss (ECF No. 48) is **GRANTED**, and Plaintiff's 42 U.S.C. § 1983 claims for discrimination and retaliation (Counts XIII and XIV) are **DISMISSED WITH PREJUDICE**.

Plaintiff may file a fourth amended complaint, if desired, on or before **March 3, 2020**. Plaintiff is only permitted leave to amend those claims dismissed *without prejudice* herein, to the extent she may do so consistent with Federal Rule of Civil Procedure 11.

**IT IS SO ORDERED.**

**BY THE COURT:**

/s/ Judge John Milton Younge

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**Judge John Milton Younge**